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JUN 20 2008

In re Application of :
Chefalas et al. :
Application No.: 10/662789 :
Filing or 371(c) Date: 09/15/2003 :
Attorney Docket Number: YOR920010714US1 :

OFFICE OF PETITIONS

DECISION ON
PETITION

This is a decision in response to the petition to withdraw holding of abandonment Office action not received, filed April 9, 2008. The petition is properly treated under 37 CFR 1.181.

The above-identified application became abandoned for failure to timely and properly reply to the non-final Office action, mailed May 21, 2007. The Office action set a three (3) month period for reply, and provided for extensions of time under 37 CFR 1.136(a). No reply having been received, the application became abandoned August 22, 2007. A Notice of Abandonment was mailed December 4, 2007.

With the present petition, Applicant has demonstrated non-receipt of the Office Action by a preponderance of the evidence.

The holding of abandonment is hereby withdrawn. No petition fee has been charged and none is due.

The application will be referred to Technology Center Art Unit 2165 for re-mailing of the Office action and for e-setting the period for reply.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

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